IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

–

WRIT PETITION NO : 19715 of 2004

Between:

Cheripalli Ramaswamy,

S/o. Veeraiah,
Singareni Colleries Company Limited,

Somagudem No.1 Incline
Mandamari Area, Adilabad District.

..... PETITIONER

AND

Singareni Colleries Company Limited,

A Government Company,
Somagudem No.1 Incline

Mandamari Area, Adilabad,
Rep. by its Deputy General Manager.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the Notice-cum-Termination of Emplotyment notice No. MMR/Sang-1/WO/18/04/1107, dated 29-09-2004 issued by the respondent herein as illegal, arbitrary and unjust by issuing necessary writ, order or direction one in the nature of Writ of Mandamus.

Counsel for the Petitioner: MR.M.V.S.SURESH KUMAR

Counsel for the Respondent: MR.NANDIGAM KRISHANA RAO

The Court at the admission stage, made the following:

THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION NO: 19715 of 2004

ORDER:

On 22-11-2004 none appeared for the petitioner. Today also none appears before forenoon or afternoon.

2. The case of the petitioner is that he was retired from service with effect from 01-11-2004 as he attained superannuation at the age of 60 years as per the records. Admittedly, in the application dated 01-12-1972, submitted by the petitioner, it is stated that he was aged about 28 years. Therefore, as per the records, he was retired from service at the age of 60 years.

3. The claim of the petitioner is solely based upon the identity card, issued by the Company, wherein at the column of date of birth, his age is shown as 22 years as on 08-01-1973. Basing on the said assertion, the petitioner seeks to quash the proceedings.

4. Even as seen from the allegations made in the writ petition, it is nowhere stated that his age was wrongly noted or wrongly shown in the service records and therefore the impugned proceedings suffer from serious legal infirmities. So, the writ petition is totally devoid of merit and is liable to be dismissed at the stage of admission.

5. Hence, the writ petition, with the said observation, is dismissed. There shall be no order as to costs. It is also observed that the purpose of

Identity Card is only for that person to enter into the coalfields, so that cannot be taken as a basis for computing the age of an employee.

November 29, 2004

Kvr

To

1. The Deputy General Manager,

Singareni Colleries Company Limited,

A Government Company,
Somagudem No.1 Incline

Mandamari Area, Adilabad,

2. Two C.D.Copies.